IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

Writ Petition No.8806 of 2005

1. Mr.Ananda Dhondiram Ingawale
and others ..Petitioners

vs.

Mrs.Sushila Rajaram Bhopale
and others. .Respondents.

Shri Pratap Patil for petitioners.

CORAM: S.B.MHASE J.
9th March, 2006

P.C.

1. Heard.

2. The application for condonation of delay has been rejected. There was a decree for partition and possession. That suit was decided on 31st July, 1999. However, the appeal is filed in 2002 making out a ground that the appellant had suffered an accident in 1994 and he was in hospital of Dr.Prabhu at Kolhapur upto 1998. The first Appellate Court found that even if the contention of the appellant is accepted it is found that the suit was decided after the appellant is recovered and discharged from the hospital and, therefore, there is no sufficient and just cause for condonation of delay. Under these circumstances no interference is called for. Petition is hereby rejected.

(S.B.MHASE J.)